

FILED

JUN 16 2006

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

GURJIT SINGH,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 04-74795

Agency No. A75-316-680

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted June 12, 2006^{**}

Before: KLEINFELD, PAEZ and BERZON, Circuit Judges.

Gurjit Singh, a native and citizen of India, petitions pro se for review of an order of the Board of Immigration Appeals (“BIA”) denying his motion to reissue its May 29, 2002 order summarily affirming an immigration judge’s order denying

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

his applications for asylum, withholding of removal and protection under the Convention Against Torture. To the extent we have jurisdiction, it is conferred by 8 U.S.C. § 1252. We deny in part and dismiss in part the petition for review.

The BIA did not abuse its discretion in denying the motion to reissue its decision. Singh failed to submit any evidence showing non-receipt of the BIA's May 29, 2002 decision.

To the extent Singh challenges the BIA's May 29, 2002 decision, we lack jurisdiction because the instant petition for review is not timely as to that order. *See Martinez-Serrano v. INS*, 94 F3d 1256, 1258 (9th Cir. 1996).

PETITION FOR REVIEW DENIED in part; DISMISSED in part.